

**PIKE COUNTY PROJECT DEVELOPMENT BOARD**

**PUBLIC HEARING MINUTES**

**Pike County Courthouse  
Pikeville, Kentucky**

**June 26, 2007**

**CHAIR:** Judge/Executive Wayne T. Rutherford

**MEMBERS OF THE BOARD PRESENT:**

**Magistrate Jeff Anderson  
City Manager/AOC Representative Donovan Blackburn  
Circuit Judge Eddy Coleman  
Circuit Court Clerk David Deskins  
AOC Project Manager Jeff Lilly  
Citizen at Large Hon. Charles E. Lowe, Jr.  
District Judge Darrell Mullins  
State Bar Association Representative Neal Smith**

**OTHERS PRESENT:**

**Bobby Branham, Executive Assistant to Judge/Executive  
R. Roland Case, Assistant Pike County Attorney  
Rose Farley, Recorder  
Jeanne Robinson, Executive Assistant to Judge/Executive**

**MEMBERS OF THE PRESS PRESENT:**

**Rachael Stanley, Editor of *The Appalachian-News Express*  
Loretta Tackett, Reporter for *The Appalachian News-Express***

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Judge/Executive Wayne T. Rutherford, Chair of the Pike County Project Development Board, called to order a public hearing scheduled by the Board and held on June 26, 2007, at 5:00 p.m., in the Pike County Fiscal Courtroom, Pike County Courthouse, 146 Main Street, Pikeville, Kentucky. The purpose for the public hearing was to discuss a proposed new Court of Justice Facility for Pikeville, Pike County, and to consider a site for such facility.

In timely publication and notice of this meeting in two local newspapers, *The Lexington-Herald* and *The Appalachian News-Express*, property owners who desired consideration of their properties were asked to tender plats of such properties and a

statement of any known historical or environmental concerns. Chair Rutherford opened the meeting for any oral or written comments, noting, however, that the deadline for submission of these proposals from property owners is July 5, 2007, at 5:00 p.m. He emphasized that the construction of this new judicial facility would be accomplished with no imposition of extra taxes upon the citizens of Pike County; that the construction would be achieved through bonds issued by the Pike County Fiscal Court to cover the entire cost of the facility. Once it is occupied, rent will be received equal to the bond payment. He stated the County would provide the maintenance which will be repaid by the Administrative Office of the Courts (AOC). He announced the size of the facility would be approximately 95,000 square feet with a total cost of about \$29 million after furniture costs.

Chair Rutherford said site selection must be considered first by the Board and consideration of acreage and cost, typically in the downtown area. He stated the site must accommodate not only the building itself but parking, accessibility of emergency vehicles, landscaping, and fountain plazas. He then asked if any member of the Board had any statements to make about the properties before calling on the public. He called upon Bobby Branham, a licensed real estate agent, to discuss the wraparound property and the block of the city where the old library and the old Scott Motors business used to be, areas mentioned previously for consideration.

Mr. Branham stated he had viewed a multi-owner property at the corner of Pike and Third Streets. Also under consideration is the property immediately behind B B & T Bank adjacent to the Pike County Courthouse. He noted there is some question of ownership of the Civic Center property and stated the wraparound property would be partially on the City/County Eastern Kentucky Exposition Center (Civic Center), whoever is defined as the owner. Chair Rutherford called upon Assistant Pike County Attorney R. Roland Case to research and resolve the ownership of this particular property since this property was part of the trade through the City of Pikeville to build the Cut-Through. Mr. Branham said at one time it was strictly the County's property but understood that the City first gave it to the Civic Center and then back to the County.

Pikeville City Manager and AOC Representative Donovan Blackburn stated he was not sure about the specific area but there was some property that did go back when the Hall of Justice was expanded recently. Mr. Branham reported that to date, no title search had been done. Attorney Case said the part facing the Hall of Justice was left somewhat as a small triangle which the City did deed back to the County. This is behind where the river lies. Chair Rutherford said previously, the City did not have any money. The property was appraised at that time at \$3.1 million but the Cut-Through could not be started until the City owned it in fee simple, so the County gave the property to the City with \$142,000 being received and free parking provided forever for the magistrates of the Fiscal Court when court was in session. He asked Attorney Case to provide a report to the Board of the facts of this situation.

Chair Rutherford asked whether Mr. Branham had any specific recommendation for any particular property just set forth and upon Mr. Branham's negative response, said the Board would discuss each one separately.

Mr. Blackburn asked that the record show that the City of Pikeville and the City Commissioners are willing to discuss the possibility of having the property behind the Hall of Justice to be considered as a site for the new facility. Chair Rutherford said this would be discussed as soon as Attorney Case presents his findings.

When David Deskins, Pike Circuit Court Clerk, inquired how big the acreage was, Chair Rutherford answered not much acreage at all, but it was County property just behind the Hall of Justice building which would run to the highway on Chloe Creek. Mr. Branham suggested 200 x 100-160 feet. Pike Circuit Court Judge Eddy Coleman estimated it probably ran about two thirds of an acre.

Chair Rutherford called upon Mr. Blackburn to submit the City's proposal for discussion either today or by July 5, 2007, at 5:00 p.m. Mr. Blackburn stated he would submit a plat for this property and other possible properties to the Board.

Chair Rutherford noted that the City's proposed attached parking garage for five hundred vehicles and its Comprehensive Plan had been earlier discussed and after the property is appraised for a certain amount, those city projects would be included if the facility is located on that property.

Mr. Deskins asked if anyone had examined or researched the feasibility of moving material across the creek. Chair Rutherford responded this was the wraparound and Mr. Blackburn answered the consideration was to bring it level with the By-Pass Road. Mr. Branham said fifty or seventy feet on this side of the creek before the drop-off plus excavation would put it across the creek much like the Civic Center with footers on the By-Pass side. Mr. Deskins said a small earth-moving project toward Dorsey's Restaurant could allow that material to build a ramp off the By-Pass Road which would be needed. Mr. Blackburn said a facility study by Summit Engineering, Inc., might hold some research on that property which could be made available to the Board.

Judge Coleman asked whether the Highway Department had a plan to bring the highway closer to the creek and Mr. Blackburn answered yes. He explained that the Department would be introducing it to the Commission since the By-Pass rock fall is so bad; once this plan is definite, it will be submitted with the possibility of acquisition of property around the Combs Bridge and the city fire station. This would be about an \$8 million project which the City can do for one third that cost but still bring the road closer to the riverfill. Chair Rutherford noted this will encompass the historic cemetery. Mr. Blackburn pointed out before this can be done, funds will have to be obtained for the project. Chair Rutherford stated the state legislature has agreed to add this project to the list.

Chair Rutherford announced that the Board had complied both with the regulations and with the published advertisements and asked if any one else from the public wished to speak. There was no further response. He said the Board would await submissions until 5:00 p.m., on July 5, 2007, at the Board's regularly scheduled meeting. He then declared the Public Hearing closed.

Respectfully submitted,

Rose Farley, Recorder